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|-------------------------------|-----------------|------------------|--|
| <b>Notice of Allowability</b> | Application No. | Applicant(s)     |  |
|                               | 09/308,655      | SAMUELSSON, ROLF |  |
|                               | Examiner        | Art Unit         |  |
|                               | Victor K. Hwang | 3764             |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application as filed and the IDS filed Sept. 01, 1999.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☒ The drawings filed on 01 June 1999 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☒ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date <u>19990901</u></li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date <u>20050413</u>.</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
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**JEROME W. DONNELLY**  
 PRIMARY EXAMINER

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Susan Bailey of Jacobson, Price, Holman & Stern on April 13, 2005.

2. The application has been amended as follows:

**In the Specification:**

A) Replace the paragraph on page 1, lines 4-6 with:

**--Field of the Invention**

The present invention relates to an isometric/dynamic exercising apparatus having a harness which extends over both shoulders of the user and which is anchored to a supportive surface on which the user supports his/her feet. Such an apparatus includes adjustment means for selectively adjusting the distance between the supportive surface and that part of the harness which acts on the user's shoulders, so that the user can exert an exercising or loading force between the support surface and the harness by straightening his/her body to an upright position.—

B) Page 1, line before line 33, insert the heading:

**--Summary of the Invention--**

C) Replace the two paragraphs on page 2, lines 1-5 with:

--This object is achieved with an apparatus that includes a loose, portable bottom plate which forms the support surface, the bottom plate having room for the user's feet in a central plate-part, and a harness that includes two first flexible, elongated power transmission elements whose respective ends are fastened to a first and a second attachment device on the rear side and the chest side of the user respectively, essentially in the symmetry plane of the user. A first flexible power transmission device is connected to the plate forwardly of the foot position, with the first device being connected to an attachment device located in the user's symmetry plane. A power transmission device including a load measuring device is connected between attachment devices located on the front side of the user, and a second flexible power transmission device is connected to the bottom plate rearwardly of the user's foot position. The second power transmission device is connected to a third attachment device which is located in the user's symmetry plane on the rear side of the user, and a power transmission element is connected between the third attachment device and the first attachment device, with the power transmission element being provided with adjusting means. The first and the second power transmission devices have together in the bottom plate a total of at least three attachment points that define the corner points of a surface area on the plate, with the plate area intended for the user's feet lying inwardly of the edge of the polygonal area defined by the corner points.

Further embodiments of the inventive apparatus are characterized in that the plate has a generally convex rear edge, and side edges that are generally straight and parallel with an

intersection line between the user's symmetry plane and the plate. The convex rear edge of the plate can have a polygonal shape and be composed of generally straight edge-parts. In addition, the first device may include two power-transmitting elements that are connected to the plate at two laterally separated attachment points on each side of an intersecting line between the plate and the user's symmetry plane, while the second device includes two power-transmitting elements that are connected to the plate at two laterally separated attachment points on respective sides of an intersection line between the plate and the user's symmetry plane.

According to yet further embodiments, a measuring device can be connected in the apparatus for measuring the tensile force exerted by the user when stretching his/her body, the measuring device preferably supporting a display so as to enable the user of the apparatus to see the display. The apparatus can also be essentially non-stretchable and thus functional for isometric training or loading exercises, wherein the adjustment device can be adjusted to permit the back and leg muscles to be stretched to a maximum load, and wherein the harness prevents the user from standing or lying in an erect position in the apparatus with his/her legs straightened.

Alternatively, a flexible spring device may be included which enables the user to straighten his/her body in the apparatus against the force exerted by the spring device, wherewith the apparatus enables dynamic muscle exercises to be performed by the user. The spring device preferably includes a spring means which is included in the apparatus harness on its front side and/or on its rear side, with at least one spring means in the apparatus being adjustable to establish a selective spring characteristic.—

D) Page 5, before line 1, insert the heading:

**--Brief Description of the Drawings--**

E) Page 5, line 26, replace "62" with --51, 52--.

F) Page 6, line 16, replace "22" with --60--.

**In the Claims:**

A) Rewrite claim 9 as follows:

-- 9. (Currently Amended) An apparatus according to claim 1 8, characterized in that the spring device (80, 80) includes a spring means which is included in the apparatus harness on its front side and/or on its rear side.—

3. The following is an examiner's statement of reasons for allowance: the prior art of record does not disclose an isometric/dynamic exercising apparatus comprising the four attachment devices 42, 44, 56, 57 joined by the power transmission device 70 and power transmission element 43 with a load measuring device 71 connected between the attachment devices 56,57.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor K. Hwang whose telephone number is (571) 272-4976. The examiner can normally be reached Monday through Friday from 7:30 AM to 4:00 PM Eastern time.

The facsimile number for submitting papers directly to the examiner for informal correspondence is (571) 273-4976. The facsimile number for submitting all formal correspondence at this time is (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory L. Huson can be reached on (571) 272-4887.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Victor K. Hwang  
April 13, 2005

JEROME W. DONNELLY  
PRIMARY EXAMINER

